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 Panasonic Corporation of North America, MT Picture Display Co., Ltd.*

Additional Moving Defendants and Counsel Listed on Signature Pages

**IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT)  
 ANTITRUST LITIGATION

Case No. 07-5944 SC

MDL No. 1917

This Document Relates to:

ALL INDIRECT-PURCHASER ACTIONS

*Electrograph Sys., Inc., et al. v. Hitachi, Ltd., et al.*,  
 No. 11-cv-01656;

*Electrograph Sys., Inc., et al. v. Technicolor SA, et al.*,  
 No. 13-cv-05724;

*Siegel v. Hitachi, Ltd., et al.*, No. 11-cv-05502;

*Siegel v. Technicolor SA, et al.*, No. 13-cv-05261;

*Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*, No.  
 11-cv-05513;

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*,  
 No. 13-cv-05264;

*Target Corp. v. Chunghwa Picture Tubes, Ltd., et*

**DECLARATION OF JENNIFER M.  
 STEWART IN SUPPORT OF  
 DEFENDANTS' ADMINISTRATIVE  
 MOTION TO SEAL DOCUMENTS  
 PURSUANT TO CIVIL LOCAL RULES  
 7-11 AND 79-5(d)**

1 *al.*, No. 11-cv-05514;  
2 *Target Corp. v. Technicolor SA, et al.*, No. 13-cv-  
3 05686;  
4 *Sears, Roebuck & Co., et al. v. Chunghwa Picture*  
5 *Tubes, Ltd., et al.*, No. 11-cv-05514;  
6 *Sears, Roebuck & Co., et al. v. Technicolor SA, et*  
7 *al.*, No. 13-cv-05262;  
8 *Interbond Corp. of Am. v. Hitachi, Ltd., et al.*, No.  
9 11-cv-06275;  
10 *Interbond Corp. of Am. v. Technicolor SA, et al.*,  
11 No. 13-cv-05727;  
12 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, No. 11-cv-  
13 06276;  
14 *Office Depot, Inc. v. Technicolor SA, et al.*, No. 13-  
15 cv-05726;  
16 *CompuCom Systems, Inc. v. Hitachi, Ltd., et al.*,  
17 No. 11-cv-06396;  
18 *Costco Wholesale Corp. v. Hitachi, Ltd., et al.*, No.  
19 11-cv-06397;  
20 *Costco Wholesale Corp. v. Technicolor SA, et al.*,  
21 No. 13-cv-05723;  
22 *P.C. Richard & Son Long Island Corp., et al. v.*  
23 *Hitachi, Ltd., et al.*, No. 12-cv-02648;  
24 *P.C. Richard & Son Long Island Corp., et al. v.*  
25 *Technicolor SA, et al.*, No. 13-cv-05725;  
26 *Schultze Agency Servs., LLC v. Hitachi, Ltd., et al.*,  
27 No. 12-cv-02649;  
28 *Schultze Agency Servs., LLC v. Technicolor SA, et*  
*al.*, No. 13-cv-05668;  
*Tech Data Corp., et al. v. Hitachi, Ltd., et al.*, No.  
13-cv-00157  
*Viewsonic Corp. v. Chunghwa Picture Tubes, Ltd.,*  
*et al.*, No. 14-cv-02510;  
*Dell Inc., et al. v. Hitachi Ltd. et al.*, No. 13-cv-  
02171.

1 I, Jennifer M. Stewart, declare as follows:

2 1. I am an attorney with Winston & Strawn LLP, attorneys for Defendants  
3 Panasonic Corporation of North America, MT Picture Display Co., Ltd., and Panasonic Corporation  
4 (f/k/a Matsushita Electric Industrial Co., Ltd.) (collectively, the “Panasonic Defendants”) in these  
5 actions. I am a member of the bar of the State of New York and I am admitted to practice before this  
6 Court *pro hac vice*.

7 2. I submit this declaration pursuant to Civil Local Rule 79-(d) in Support of  
8 Defendants’ Reply Memorandum in Support of Their Motion for Summary Judgment Based Upon  
9 Plaintiffs’ Failure to Distinguish Between Actionable and Non-Actionable Damages Under the  
10 FTAIA (“Reply Memorandum”). Except for those matters stated on information and belief, about  
11 which I am informed and which I believe to be true, I have personal knowledge of the facts stated  
12 herein and, if called as a witness, I could and would competently testify thereto.

13 3. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this  
14 matter (Dkt. 306). On January 23, 2015, the Panasonic Defendants filed an Administrative Motion  
15 to Seal and lodged conditionally under seal the following documents pursuant to Civil Local Rules  
16 7-11 and 79-5(d):

17 (a) Portions of the Reply Memorandum that consist of, cite to, and/or identify  
18 information from documents and/or deposition testimony designated  
19 “Confidential” or “Highly Confidential”; and

20 (b) Exhibits A and B to the Reply Declaration of Jennifer M. Stewart in Support of  
21 Defendants Motion for Summary Judgment Based Upon Plaintiffs’ Failure to  
22 Distinguish Between Actionable and Non-Actionable Damages Under the FTAIA  
23 (“Stewart Reply Decl.”).

24 4. Pursuant to Civil Local Rule 79-5(e), I make this declaration on behalf of the  
25 Panasonic Defendants to provide the basis for the Court to maintain under seal portions of the Reply  
26 Memorandum and Exhibits A and B to the Stewart Reply Declaration which consist of, cite to,  
27 and/or identify information that has been designated by the Panasonic Defendants as “Confidential”  
28 or “Highly Confidential” pursuant to the Stipulated Protective Order.

1           5.       Attached as Exhibit A to the Stewart Reply Declaration is the April 15, 2014  
2 Best Buy Expert Report of Dr. Alan S. Frankel, the DAPs' expert witness ("Frankel Report"). The  
3 DAPs have designated the Frankel Report as "Highly Confidential" in its entirety under the terms of  
4 the Stipulated Protective Order.

5           6.       Upon information and belief, the documents and information referred to in  
6 and/or attached to the Frankel Report and its exhibits consist of, cite to, and/or identify confidential,  
7 nonpublic, proprietary and highly sensitive business information about the Panasonic Defendants'  
8 business practices, and competitive positions. The documents quoted from or summarized in the  
9 Frankel Report have been designated as "Confidential" or "Highly Confidential" by the Panasonic  
10 Defendants. I am informed and believe that this is sensitive information and public disclosure of this  
11 information presents a risk of undermining the Panasonic Defendants' business relationships, would  
12 cause it harm with respect to its competitors and customers, and would put the Panasonic Defendants  
13 at a competitive disadvantage.

14           7.       Attached as Exhibit B to the Stewart Reply Declaration are excerpts from the  
15 transcript of the July 10, 2014 deposition of Dr. Alan S. Frankel ("Frankel Transcript"). The DAPs  
16 have designated the Frankel Transcript as "Highly Confidential" in its entirety under the terms of the  
17 Stipulated Protective Order.

18           8.       Upon information and belief, the documents and information referred to in the  
19 Frankel Transcript consist of, cite to, and/or identify confidential, nonpublic, proprietary and highly  
20 sensitive business information about the Panasonic Defendants' business practices. The Panasonic  
21 Defendants have designated the underlying documents quoted from or summarized in the Frankel  
22 Transcript as "Confidential" or "Highly Confidential" under the Protective Order. I am informed  
23 and believe that this is sensitive information and public disclosure of this information presents a risk  
24 of undermining the Panasonic Defendants' business relationships, would cause it harm with respect  
25 to its competitors and customers, and would put the Panasonic Defendants at a competitive  
26 disadvantage.

27           9.       Defendants' Reply Memorandum consists of, cites to, or identifies confidential,  
28 nonpublic, proprietary, and highly sensitive business information about the Panasonic Defendants'

business practices, pricing practices, sales practices and competitive positions. Specifically, portions of pages 1, 4, 5, 11, 12, 13, 14, and 15 of the Reply Memorandum describe documents or information designated as “Confidential” or “Highly Confidential” by the Panasonic Defendants pursuant to the Stipulated Protective Order, including but not limited to Exhibits A and B to the Stewart Reply Declaration. As with the exhibits themselves, I understand that the Panasonic Defendants consider any statements in the Reply Memorandum purporting to summarize the exhibits or any other documents or information designated as “Confidential” or “Highly Confidential” by the Panasonic Defendants confidential and proprietary. I am informed and believe that the Panasonic Defendants have taken reasonable steps to preserve the confidentiality of information of the type contained, identified, or cited to in the Reply Memorandum and Exhibits A and B to the Stewart Reply Declaration.

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: January 23, 2015

By: /s/Jennifer M. Stewart  
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*Corporation of North America, and MT Picture Display  
Co., Ltd.*

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